



Federal Communications Commission
Washington, D.C. 20554

MAY 3 1996

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MAY - 9 1996

The Honorable Mike Parker
U. S. House of Representatives
2445 Rayburn House Office Building
Washington, D.C. 20515-5865

DOCKET 96-18 COPY ORIGINAL

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Congressman Parker:

Thank you for your letter of March 28, 1996, on behalf of your constituent, Tim Coursey, regarding the Commission's decision to freeze acceptance of paging applications. Mr. Coursey expresses concern that his paging application has not been granted because of the implementation of the freeze.

The Commission is currently conducting a rulemaking proceeding that proposes to transition from licensing paging frequencies on a transmitter-by-transmitter basis to a geographic licensing approach, using auctions to award licenses where there are mutually exclusive applications. In conjunction with that proceeding, the Commission initially froze processing of applications for paging frequencies. On April 23, 1996, the Commission released a First Report and Order in WT Docket 96-18 and PP Docket 93-253, which adopted interim measures governing the licensing of paging systems and partially lifted the interim freeze for incumbent paging licensees. For your convenience and information, enclosed is a copy of the Press Release concerning the First Report and Order, which includes a summary of the principal decisions made. Specifically, small and medium sized incumbent paging companies will be permitted to expand their service areas if the proposed new site is within 65 kilometers (40 miles) of an authorized and operating site. These interim rules will remain in effect until the Commission adopts final rules in the paging proceeding.

Thank you for your inquiry.

Sincerely,

David L. Furth
Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

Enclosure

MIKE PARKER
4TH DISTRICT, MISSISSIPPI

COMMITTEE ON THE BUDGET

TRANSPORTATION AND
INFRASTRUCTURE

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Congress of the United States
House of Representatives
March 28, 1996

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The Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

Dear Chairman Hundt:

I am enclosing a copy of a request for assistance received from my constituent Mr. Tim Coursey regarding his pending application for a digital paging license. I would appreciate a review of this matter and Mr. Coursey's charges concerning FCC regulatory procedures. Any information that you may share with me in order to adequately respond to my constituent's inquiry will be helpful.

Please contact my office if I may be of assistance to you

Sincerely,

Mike Parker
Member of Congress

MP:sm
Enclosure

Tim Coursey
460 Mill Creek Dr.
Magee, MS 39111

March 14, 1996

Arthur Rhodes
Chief of Staff
Congressman Mike Parker
2445 Rayburn HOB
Washington, D.C. 20515

Dear Mr. Rhodes:

Per my conversation with you this past Tuesday I am writing to make a formal request with regard to my application with the FCC for a 931 Mhz. digital paging license. As I said during our conversation, I have had to spend more than \$7,000.00 to date toward securing the 931 Mhz. license. I believed that I was making an "investment for the future of my family" by hiring a consultant to conduct data base searches, perform engineering studies, and retain and utilize qualified legal counsel in order to facilitate the filing of a complete, accurate, and proper license. As a matter of fact, I borrowed the necessary \$7,000.00 to get this work done. I thought I was secure with my actions, after all, thousands of people before me have prepared an application which complies with all the rules and regulations set forth by the FCC and have received their licenses.

Mr. Rhodes, I have spent borrowed money in a good faith effort to secure a legal FCC paging license and the FCC has in turn frozen my application in the middle of the public comment process. From what I understand, the FCC is violating its own rules by freezing my application midstream. An outrageous and unfair double standard is at play when the FCC can break the very rules it establishes as law. Furthermore, were it not for my consultant's keen eye, I would not know that they even froze my application because the FCC did not have the courtesy to notify me of such a freeze.

All of this is quite hard for me to swallow to say the least. I am very upset and most concerned with the fact that not only could I possibly lose the license I was due to receive, but that I will have to pay back \$7,000.00 for a license that I never got. This is about as unacceptable as it gets. As such, could you please explain my situation to the folks in charge at the FCC and implore them to unfreeze any applications frozen midstream during the public comment period and grant the licenses as they are required to do. I appreciate you taking the time to help me with this matter. Thank you very much. I am,

Yours truly,



Tim Coursey

cc: Commercial Wireless Division
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